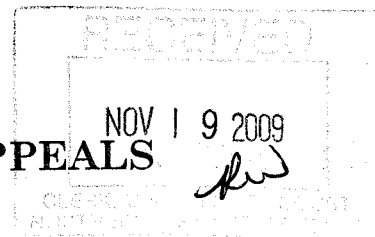


IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT



No. 09-10492

U.S. COURT OF APPEALS  
**FILED**

OCT 22 2009

UNITED STATES OF AMERICA,

Plaintiff - Appellee

CHARLES R. FULBROOK JR.  
CLERK

v.

108 CR 057

JASON ALAN SEYFFERT,

Defendant - Appellant

Appeal from the United States District Court for the  
Northern District of Texas, Abilene

Before BENAVIDES, PRADO, and SOUTHWICK, Circuit Judges.

PER CURIAM:

IT IS ORDERED that the appellee's motion to dismiss appeal is

*Granted.*

IT IS FURTHER ORDERED that the alternative motion to file brief of  
appellee until 30 days after court's denial of motion to dismiss appeal is

*Dismissed as moot.*

13 NOV 2009  
Clerk of Court  
U.S. Court of Appeals  
Fifth Circuit  
By Madeline Chey  
Deputy  
New Orleans, Louisiana

ISSUED AS MANDATE

ECP *led*

**United States Court of Appeals**

FIFTH CIRCUIT  
OFFICE OF THE CLERK

CHARLES R. FULBRUGE III  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

November 13, 2009


Ms. Karen S. Mitchell  
Northern District of Texas, Abilene  
United States District Court  
341 Pine Street  
Room 2008  
Abilene, TX 79604

No. 09-10492, USA v. Jason Seyffert  
USDC No. 1:08-CR-57-1

Enclosed, for the Northern District of Texas, Abilene only, is a copy of the judgment issued as the mandate.

The electronic copy of the record has been recycled.

CHARLES R. FULBRUGE III, Clerk

By:   
Madeline K. Chigoy, Deputy Clerk  
504-310-7691

cc: (letter only)  
Honorable Sam R. Cummings  
Mr. Samuel Mehaffery  
Mr. Steven M Sucsy  
Ms. Denise B Williams

P.S. to Judge Cummings: A copy of the opinion was sent to your office via email the day it was filed.

MDT-1